

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OCLC, Inc.

Plaintiff,

v.

**ANNA’S ARCHIVE, f/k/a PIRATE
LIBRARY MIRROR, et al.,**

Defendants.

Case No. 2:24-cv-00144-MHW-EDP

Judge Michael H. Watson

**Magistrate Judge Elizabeth A.
Preston Deavers**

**DECLARATION OF KATHRYN M. BROWN IN SUPPORT
OF PLAINTIFF OCLC, INC.’S APPLICATION FOR
ENTRY OF DEFAULT**

I, Kathryn M. Brown, an attorney for Plaintiff OCLC, Inc. (“OCLC”), declare, under penalty of perjury, the following:

1. I am an associate with the law firm of Squire Patton Boggs (US) LLP, 2000 Huntington Center, 41 South High Street, Columbus, Ohio 43215, which represents Plaintiff OCLC in this case.

2. I have knowledge of the facts stated herein based on personal knowledge.

3. Counsel commenced this action on behalf of OCLC on January 12, 2024 by filing an original complaint with the United States District Court for the Southern District of Ohio, Eastern Division.

4. On January 24, 2024, OCLC filed a Motion to Serve Defendant Anna’s Archive by Email.

5. On March 22, 2024, this Court granted OCLC’s Motion to Serve Defendant Anna’s Archive By Email.

6. On March 27, 2024, OCLC presented the Clerk with a summons directed to Defendant Anna's Archive at known email addresses, and the Clerk issued the summons for OCLC to serve to Defendant Anna's Archive.

7. On March 28, 2024, pursuant to this Court's March 22, 2024 Order, I served the issued summons, along with the Complaint and other case initiating documents in this matter, to the following email addresses: annaarchivist@proton.me; AnnaDMCA@proton.me; annaarchivist+security@proton.me; and domainabuse@tucows.com. Attached as Exhibit A are true and accurate copies of these emails.

8. On March 28, 2024, I received one bounce-back email from AnnaDMCA@proton.me, which indicated that the email could not be delivered because the recipient mailbox was full. Attached as Exhibit B is a true and accurate copy of this email.

9. On March 28, 2024, I initiated a second attempt at serving only the issued summons and Complaint on AnnaDMCA@proton.me. Attached as Exhibit C is a true and accurate copy of this email.

10. On March 28, 2024, I received the same bounce-back email from AnnaDMCA@proton.me, which indicated that the email could not be delivered because the recipient mailbox was full. Attached as Exhibit D is a true and accurate copy of this email.

11. Except for the occurrences detailed above, I received no other responses or bounce-back emails in connection with my March 28, 2024 service emails.

12. Rule 12(a)(1)(A) of the Federal Rules of Civil Procedure requires Defendant to answer the Complaint within twenty-one days after being served.

13. Under the Federal Rules of Civil Procedure, twenty-one days after March 28, 2024 was April 18, 2024.

14. Defendant Anna's Archive was thus required to answer the Complaint by no later than April 18, 2024.

15. Defendant Anna's Archive has failed to answer OCLC's Complaint or to otherwise make any appearances in this action.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 28, 2024.

/s/ Kathryn M. Brown
Kathryn M. Brown